

OCT 30 2007

IN THE UNITED STATES DISTRICT COURT FOR JOHN F. CONCORAN, CLERK
THE WESTERN DISTRICT OF VIRGINIA BY: *Moody*
DEPUTY CLERK

DE TECHNOLOGIES, INC.,
Plaintiff

v.

DELL INC.,
Defendant.

CIVIL ACTION NO. 7:04 CV00628

Judge Glen E. Conrad

Magistrate Judge Michael F.
Urbanski

ORDER

This case is pending before the court in the following procedural posture:

1. Claim interpretation orders have been issued by the Court.
2. A partial summary judgment order has issued finding claims 13 through 17 of the U.S. Patent No. 6,460,020 to be invalid.
3. A partial summary judgment order has issued on the issue of infringement, which affected certain geographic areas but not others.
4. A motion for reconsideration on the subject of infringement by the plaintiff DE Technologies, Inc. is currently pending before the Court, but has not yet been ruled upon by the Court.
5. No trial date is currently scheduled on the Court's docket.
6. All the orders in this case, including the forgoing orders, were not final, were interlocutory in nature and were subject to further revision by this Court at any time prior to entry of final judgment.

7. The parties have participated in mediation before United States Magistrate Judge Michael Urbanski.
8. The Court has been advised that the parties have stipulated that this matter should be dismissed, with prejudice, each party bearing its own costs and attorneys fees.

Wherefore, the Court being advised of the foregoing stipulation, hereby orders that this case is dismissed with prejudice, each party bearing its own costs and attorneys fees.

ENTERED THIS 30th ^{OCTOBER} DAY OF ~~SEPTEMBER~~, 2007

So Ordered

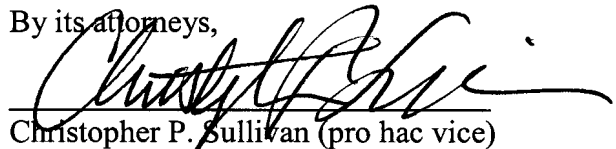


United States District Court Judge

The undersigned stipulate to the dismissal of the case.

DE TECHNOLOGIES, INC.

By its attorneys,



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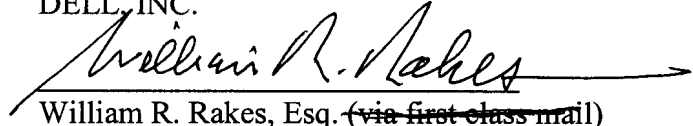
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DELL, INC.

A handwritten signature in black ink, appearing to read "William R. Rakes", is written over a horizontal line.

William R. Rakes, Esq. ~~(via first class mail)~~

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